

JUDGE HOLWELL UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

11 CV 4971

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MISHCON DE REYA NEW YORK LLP,

Petitioner,

v.

GRAIL SEMICONDUCTOR, INC.,

Respondent.

:
: Civil Action No. 11-

: *OF ATTACHMENT*
: **ORDER TO SHOW CAUSE**
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USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <i>7/22/11</i>
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UPON the annexed Petition for an Ex Parte Order of Attachment in Aid of Arbitration, dated July 19, 2011, pursuant to Rule 64 of the Federal Rules of Civil Procedure and Articles 62 and 75 of the New York Civil Practice Law and Rules ("CPLR"), the Memorandum of Law in support thereof, dated July 19, 2011, and the Declaration of Vincent Filardo, Jr., Esq., dated July 19, 2011, and exhibits annexed thereto, wherein it appears that a cause of action for a money Judgment exists in favor of Petitioner Mishcon de Reya New York LLP ("Mishcon") and against Respondent Grail Semiconductor, Inc.'s ("Grail" or "Respondent") for the sum of \$2,041,410.64, with interest thereon in the amount of \$73,148.72, and that Petitioner is entitled to recover that sum over all counterclaims known to it, plus costs and disbursements, and it being further shown by the Petition and supporting papers that the Petitioner is entitled to an Order of Attachment against the property of the Respondent pursuant to CPLR 6211 (a), 6212(a) and 7502(c), it is

ORDERED, that an Order of Attachment be and the same hereby is granted, and it is further

ORDERED that Petitioner shall post a bond in the amount of \$5,000 as security, within ten (10) business days of this Order; and it is further

ORDERED, that the amount to be secured by this Order of Attachment, including any interest and costs, shall be \$2,114,559.36, and it is further

ORDERED, that the United States Marshall for the Southern District of New York or any person appointed to act in his or her place and stead shall levy within this Court's jurisdiction upon Grail's United States Patent No. 6,642,522 ("552 Patent") for the purpose of securing and satisfying the aforesaid sum of \$2,114,559.36, by serving a copy of this Order by Federal Express and certified or registered mail, return receipt requested, and it is further

ORDERED, that Petitioner shall move within 5 days after levy on Respondent for an Order confirming this Order of Attachment., and it is further

ORDERED that service of a copy of this Order ^{of Attachment} ~~to Show Cause~~ and the papers upon which it is granted by Federal Express upon Respondent and its attorneys, Cooley LLP, no later than two (2) business days after the date hereof, shall be deemed good and sufficient service.

SO ORDERED.

Dated: New York, New York
July 20, 2011


United States District Judge